

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

EXELA PHARMA SCIENCES, LLC;
EXELA PHARMSCI, INC.; and
EXELA HOLDINGS, INC.

Plaintiffs,

v.

HON. DAVID J. KAPPOS,
Under Secretary of Commerce for Intellectual
Property and Director of the United States Patent
and Trademark Office and
UNITED STATES PATENT AND
TRADEMARK OFFICE,

Defendants,

and

SCR PHARMATOP and CADENCE
PHARMACEUTICALS, INC.

Intervenors-Defendants.

Civil Action No. 1:12-cv-00469
(LO/JFA)

**INTERVENORS-DEFENDANTS SCR PHARMATOP AND
CADENCE PHARMACEUTICALS, INC.'S STATEMENT IN SUPPORT OF
DEFENDANTS MOTION FOR A CONTINUANCE**

Consistent with the Court's Order granting intervention (D.I. 40), Intervenors-Defendants SCR Pharmatop ("Pharmatop") and Cadence Pharmaceuticals, Inc. ("Cadence") confirm that they will abide by whatever briefing schedule the Court applies. However, Pharmatop and Cadence concur that the *Hire Order* decision warrants reconsideration of this Court's ruling on Defendants' Motion to Dismiss and that the Defendants' proposal to adjust the briefing schedule provides an appropriate suggestion to promote logical and efficient briefing of the issues.

Respectfully submitted,

Dated: October 26, 2012

/s/ Aaron L. Webb

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CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of October, 2012, I will electronically file the foregoing with the Clerk of the Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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